## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

iWORK SOFTWARE, LLC, a North Carolina Limited Liability Company Plaintiff, Civil Action No. 02 C 6355 The Honorable Judge Ronald Guzman ٧. CORPORATE EXPRESS, INC., a Colorado Magistrate Judge Mason Corporation, HERMAN MILLER, INC., a Michigan corporation, W.W. GRAINGER, INC., an Illinois corporation, MOLEX INCORPORATED, a Delaware corporation, and BOISE CASCADE CORPORATION, a Delaware corporation, MAY 2 \$ 2003 Defendants.

## WEBMETHODS, INC.'S REVISED SUBMISSION OF INTERVENTION PLEADING

On May 1, 2003, webMethods, Inc. ("webMethods") pursuant to the briefing schedule entered on April 24, 2003, submitted its proposed pleading as required by Fed. R. Civ. P. 24. As webMethods advised the Court at the time of the May 1, 2003 filing, webMethods had filed a motion for reconsideration of Judge Kennelly's April 25, 2003 ruling dismissing webMethods declaratory judgment claim against iWork. webMethods also stated that it would revise the proposed pleading if Judge Kennelly denied the motion.

On May 21, 2003, Judge Kennelly denied the motion for reconsideration. Accordingly, webMethods submits a revised proposed Answer which does not include a declaratory judgment counterclaim.

The revised proposed Answer, which webMethods would file if permitted to intervene, is attached hereto as Exhibit A.

WHEREFORE, webMethods requests that the court accept the attached proposed pleading in support of its motion to intervene to become a party defendant to this case.

May 22, 2003

Respectfully submitted

Michael K. Lindsey Richard A. Schnurr

HOWREY SIMON ARNOLD & WHITE LLP 321 North Clark Street, Suite 3400 Chicago, IL 60610

Chicago, IL 60610 312.595.1239

Joseph P. Lavelle Jennifer M. Lee HOWREY SIMON ARNOLD & WHITE LLP 1299 Pennsylvania Avenue NW Washington, DC 20004 202.783.0800

Attorneys for webMethods, Inc.

## See Case File for Exhibits